



New Jersey Department of Children and Families Policy Manual

Manual:	NJAC	NJ Administrative Code Excerpts	Effective Date:
Title	10	Human Services	
Chapter	121A	Manual Of Requirements For Adoption Agencies	11/3/2008
Subchapter:	1	General Provisions	
Section	5	Definition and types of adoptions (N.J.A.C. 10:121A-1.5)	

§10:121A-1.5 Definition and types of adoptions

(a) "Adoption" means the legal transfer of all parental rights and responsibilities from the birth and/or legal parent(s) to another person who desires to assume those rights and responsibilities.

(b) Adoptions that are subject to the provisions of this manual are classified as follows:

1. "Agency adoption" is an adoption where the birth parent(s) and the adoptive parent(s) come to an agency independent of each other and there is no prior relationship for the purpose of adoption;

2. "Foreign adoption" is the adoption of a child who resides in a country other than the United States of America. An agency shall comply with the requirements of the Federal Immigration and Naturalization Act (P.L. 95-417), and any successor or amending legislation regarding the classification of an alien orphan child as an immediate relative for purposes of an immigration visa; and shall comply with each country's supervision and visitation requirements and relevant requirements of the Hague Convention on Intercountry Adoption when the child has entered the United States with the adoptive family;

3. "Identified adoption" is an adoption where the agency becomes involved in providing services to a birth parent(s) or legal parent(s) and/or a prospective adoptive parent(s) who is considering a plan to place the child for adoption in the prospective adoptive parent's home;

4. "Independent adoption" is an adoption where the child is received in the adoptive home from a source other than an agency. Subsequent to the placement, the court orders an agency to conduct an Adoption Complaint Investigation (ACI) in order to investigate the circumstances of the placement and to assess the adoptive home;

5. "Stepparent adoption" is an adoption of a child from a former marriage by the birth parent's current husband or wife; and

6. "Relative adoption" is an adoption of a child by a person(s) who is related by blood or marriage.